(2026:HHC:10517)

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CMP(M) No.1239 of 2025 a/w CMP(M) Nos.1734, 1833, 1846, 1874, 1894, 2028 and 2091 of 2025
Date of Decision:- 01.04.2026

State of Himachal Pradesh **....Appellant(s)**

Versus

Ritu Bhalla **....Respondent(s)**

Coram
The Hon'ble Mr. Justice G.S. Sandhawalia, Chief Justice
The Hon'ble Mr. Justice Jiya Lal Bhardwaj, Judge.

Whether approved for reporting?[1]

For the Appellant(s)	:	Mr. Gobind Korla, Additional Advocate General, for the appellant(s), in all the appeals.
For the Respondents	:	Mr. Ajay Sharma, Senior Advocate with Mr. Atharv Sharma, Advocate, for the respondent(s), in all the appeals.

G.S. Sandhawalia, Chief Justice *(Oral).*

The present set of appeals filed by the appellant(s)-State are directed against the order dated 30.04.2024, passed by the learned Single Judge in ***CWP Nos.1367, 1389, 1390, 1391, 1392, 1393, 1394 and 1399 of 2021,*** titled ***State of Himachal Pradesh Vs. Smt Ritu Bhalla.***

2. The details of the CMP(M) numbers for condonation of delay in filing the appeals are as under:-

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[1] Whether reporters of Local Papers may be allowed to see the judgment?

Sr. No.	CMP(M) Nos.	Condonation of delay in filing the present appeal.
1.	1239 of 2025	399 days
2.	1734 of 2025	443 days
3.	1833 of 2025	443 days
4.	1846 of 2025	443 days
5.	1874 of 2025	444 days
6..	1894 of 2025	445 days
7.	2028 of 2025	444 days
8.	2091 of 2025	468 days

3. The delay in the above said cases are ranging from 399 days to 468 days in filing of the present appeals.

4. A perusal of the said application(s) for condonation of delay would go on to show that the downloaded copy(ies) of the judgment dated 30.04.2024 was sent to the Government on 10.09.2024 and the Government vide letter dated 16.10.2024 intimated to the appellant(s) that the matter had been examined at Government level in consultation with the Law Department and advised this office to agitate the impugned order in the higher Court.

5. The matter was then sent to the District Attorney, Himachal Pradesh Legal Cell, New Delhi for filing of Special Leave Petition (SLP) in the Apex Court on 30.10.2024. Vide letter dated 06.12.2024, the record was forwarded to the Office of the

appellant and further forwarded to the same to the Government on 10.12.2025 for further guidance. Thereafter, the Letters Patent Appeal (LPA) was finalized and sent to the office of the appellant(s) for vetting and the draft Letters Patent Appeal (LPA) was got vetted on 12.12.2024 and finally filed in this Court. The date of filing of the appeal in this Court is 03.06.2025 and there is no whisper as such for the delay of over five months at this point of time apart from the fact that there is no explanation given for not applying for the certified copy immediately after the decision on 30.04.2024 and the downloaded copy(ies) was only sent on 10.09.2024 after a period of five months again. A perusal of the certified copy would go on to show that the same was only applied on 17.12.2024 much after the limitation was expired and certified copy was supplied on 24.03.2025.

6. It is also to be noticed that similar case bearing ***CWP No.5808 of 2020,*** titled ***State of Himachal Pradesh Vs. Smt. Ritu Bhalla*** had also been decided on 03.07.2025 and the LPA No.343 of 2025 was filed alongwith an application for condonation of delay of 212 days at that point of time. After going through the explanation given as such, we had come to the conclusion that the litigation had been initially being pursued by Sudarshan Bhatia, the mother of the respondent who had

succeeded and the Financial Commissioner had decided in her favour. The State was thus pursuing against the next generation and the issue was regarding the dispute of sale-deed dated 04.05.1962. The necessity for filing separate writ petitions was only on account of the different khasra numbers mentioned and it is in such circumstances, we dismissed the Letters Patent Appeal (LPA) that even representations filed for implementation of the order by the Deputy Commissioner had been acted upon and certain rights had accrued in favour of the respondent.

8. Since, these set of appeals had come up thereafter, counsel for the State had informed that the earlier order passed by us on 03.07.2025 was subject matter before the Apex Court and we had resultantly tied our hands for awaiting the decision.

9. Today, we have been informed that the said Special Leave Petition (Civil) Diary No(s). 70014/2025, titled ***State of Himachal Pradesh Vs. Rittu Bhalla*** has also been dismissed on 27.02.2026. After going through the contents of the order, while noting that though we had dismissed the Special Leave Petition on the ground of limitation, but upon the perusal of the order passed by the learned Single Judge, the Apex Court did not entertain the Special Leave Petition. The said order reads as under:-

> *"1. Delay condoned.*
> *2. Although, petitioner's intra court appeal before the Division Bench has been dismissed on the ground of delay however, upon perusal of the order passed by the Single Judge, we are not inclined to entertain this Special Leave Petition and the same is, accordingly, dismissed.*
> *3. Pending application(s), if any, shall stand closed."*

10. Keeping in view the above, we are of the considered opinion that once the stamp of approval itself has now been given to the order of the learned Single Judge by the Apex Court and there is inordinate delay as noticed of ranging from 399 days to 468 days and the grounds as such for making out the sufficient cause is the same, we are of the considered opinion that apart from the issues of the limitation itself it would not be appropriate now to re-open the issue, once in one set of litigation, the order has been upheld by the Apex Court.

11. Accordingly, we dismiss the applications for condonation of delay bearing CMP(M) Nos.1239 of 2025, 1734, 1833, 1846, 1874, 1894, 2028 and 2091 of 2025 and resultantly the appeals also meet with the same fate.

(G.S. Sandhawalia)
Chief Justice

(Jiya Lal Bhardwaj)
Judge

1st April, 2026

(Munish Thakur)